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NORTHERN DISTRICT OF CALIFORNIA

DANIEL S. MASON (No. 54046)
CHRISTOPHER T. MICHELETTI (No. 136446)
ERIC W. BUETZOW (No. 253803)
ZELLE, HOFMANN, VOELBEL MASON & GETTE, LLP
44 Montgomery Street, Suite 3400
San Francisco, CA 94104
Telephone: (415) 693-0700
Facsimile: (415) 693-0770
E-mail: dmason@zelle.com
E-mail: cmicheletti@zelle.com
E-mail: ebuetzow@zelle.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PJH

WILSON & COUSINS DIVISION OF
PALAMAR INDUSTRIES, INC.,

Plaintiff,

V.

T. CHRISTY ENTERPRISES, INC.,

Defendant.

CV 08

Case No. _____

0098

**[PROPOSED] TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE RE PRELIMINARY
INJUNCTION**

TO DEFENDANT T. CHRISTY ENTERPRISES, INC., AND ITS ATTORNEYS OF
RECORD:

Based on the showing made by Plaintiff Wilson & Cousins Division of Palamar Industries, Inc. ("Wilson & Cousins") in its Application for a Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction, together with all the supporting papers, including the Declaration of Jeffrey Saunders, and the Memorandum of Points and Authorities,

ORDER TO SHOW CAUSE

IT IS ORDERED that Defendant T. CHRISTY ENTERPRISES, INC., must appear before this Court, the United States District Court for the Northern District of California, in

**[PROPOSED] TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE
PRELIMINARY INJUNCTION**

1 Courtroom No. ____, located at 450 Golden Gate Avenue, San Francisco, California, on
 2 _____, at _____, and then and there show cause, if there is any, why a
 3 preliminary injunction should not be issued in this action, restraining and enjoining
 4 Defendant, their officers, agents, servants, employees, and attorneys, and all persons in active
 5 concert and privity with them, pending the final determination of this action, from:

6 1. Selling or distributing any check valve or hose nozzle products not
 7 manufactured by Wilson & Cousins that feature the Wilson and Cousins UL or ULC Listing
 8 Mark, the unique Wilson & Cousins Listing Mark Control number (*i.e.*, 27GH), or a
 9 confusingly similar combination of approval marks, designations, and other indicators used by
 10 Wilson & Cousins; and

11 2. Displaying or depicting Plaintiff Wilson & Cousins' trademarks or trade dress
 12 in its catalogs, on its website, or in any advertising or promotional materials in order to sell or
 13 distribute products not manufactured by Wilson & Cousins.

14 TEMPORARY RESTRAINING ORDER

15 IT IS FURTHER ORDERED that, pending the hearing on the preliminary injunction
 16 described above, Defendant T. CHRISTY ENTERPRISES, INC., their officers, agents,
 17 servants, employees, and attorneys, and all persons in active concert and privity with them,
 18 who have and will receive actual notice of this order, are temporarily restrained from:

19 1. Selling or distributing any check valve or hose nozzle products not
 20 manufactured by Wilson & Cousins that feature the Wilson and Cousins UL or ULC Listing
 21 Mark, the unique Wilson & Cousins Listing Mark Control number (*i.e.*, 27GH), or a
 22 confusingly similar combination of approval marks, designations, and other indicators used by
 23 Wilson & Cousins; and

24 2. Displaying or depicting Plaintiff's Wilson & Cousins' trademarks or trade
 25 dress in its catalogs, on its website, or in any advertising or promotional materials in order to
 26 sell or distribute products not manufactured by Wilson & Cousins.

27 Plaintiff has posted a surety bond with the Clerk of this Court in the amount of
 28 \$_____, as required by the Court, to secure the payment of any costs and damages that may

1 be incurred or suffered by any party who is found to have been wrongfully enjoined or
2 restrained.

3 This Temporary Restraining Order will terminate with this Court's decision on the
4 Plaintiff's request for Preliminary Injunction or within 10 days after the entry of this order
5 (unless extended by agreement of the parties), whichever comes first.

6 SERVICE OF ORDER

7 IT IS FURTHER ORDERED that service of a copy of this order on the Defendant or
8 counsel for Defendant by personal service, or by sending it by Express Mail or Federal
9 Express together with a copy of the accompanying papers, no later than _____ on
10 _____, will constitute sufficient service of this order.

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12 Dated: _____

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14 _____
15 UNITED STATES DISTRICT JUDGE
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